

AGENDA
CITY OF NORTH SIOUX CITY, SOUTH DAKOTA
REGULAR MEETING OF THE CITY COUNCIL
APRIL 2, 2012
7:00 P.M. CITY HALL

1. Call meeting to order at 7:00 P.M.
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes: March 19, 2012 Regular Meeting
6. Approval of Equalization Board Minutes: March 19, 2012
7. Mayor: Don Fuxa
 - A. National Library Week
 - B. Library Ordinance (First Reading)
 - C. New Library Computers/Transfer of Contingency Funds
 - D. "Adopt A Park" Program/"Adopt a Street" Program Update
 - E. Wireless Internet Presentations
 - F. Authorization to Advertise for Bids (Levee Grading)
 - G. Document Retention, Conflict of Interest and Whistleblower Policies
 - H. Finance Officer's Annual Report
 - I. Special Meeting - Canvas Election Results
8. Community and Council Input
9. Executive session*
10. Approval of Fines
11. Approval of Bills
12. Adjournment

***SDCL 1-25-2 allows a majority of the body present to vote to close a meeting when discussion revolves around personnel, legal matters or contract negotiations. Meetings may also be closed for certain economic development matters.**

**UNAPPROVED
CITY OF NORTH SIOUX CITY, SOUTH DAKOTA
REGULAR MEETING OF THE CITY COUNCIL
APRIL 2, 2012
7:00 P.M. CITY HALL**

Meeting called to order at 7:00 p.m. by Mayor Fuxa. Roll call: Parks, Leitru, Christiansen, Meyer, Headid, Beavers and Cropley were present.

Mayor Fuxa led the Pledge of Allegiance.

Motion by Cropley, second by Parks to approve the agenda as presented. Unanimous.

Motion by Headid, second by Parks to approve the March 19, 2012, regular Council meeting minutes as presented. Unanimous.

Motion by Christiansen, second by Meyer to approve the March 19, 2012, Board of Equalization meeting minutes. Unanimous.

Motion by Cropley, second by Headid to declare the week of April 8-14, 2012, as "National Library Week." Unanimous. Mayor Fuxa presented North Sioux City Community Library officials with the following proclamation:

National Library Week 2012
Proclamation

WHEREAS, libraries have historically served as our nation's great equalizers of knowledge by providing free access to all;

WHEREAS, libraries work to meet the changing needs of their users, including building collections, expanding outreach services and increasing programming;

WHEREAS, our nation's libraries provide a forum for diverse ideas and points of view that help us better understand each other and ourselves;

WHEREAS, librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy;

WHEREAS, librarians design and offer programs to meet their community's economic needs, providing residents with resume writing assistance and job seeking resources;

WHEREAS, libraries are part of the American dream, places for education, opportunity and lifelong learning;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE, be it resolved that I, Don Fuxa, Mayor, City of North Sioux City, South Dakota, on behalf of the Council, proclaim National Library Week in North Sioux City, April 8-14, 2012. I encourage all residents to visit the North Sioux City Community Library to take advantage of the world of resources available at your library. You belong at your library.

Don Fuxa, Mayor

ATTEST:

Tonya Johnson, Finance Officer

Motion by Cropley, second by Christiansen to approve the first reading of an ordinance “to establish a library and library board.” Unanimous. It was noted the ordinance will assist the existing North Sioux City Community Library with their efforts to obtain accreditation.

Motion by Beavers, second by Christiansen to authorize the purchase of two new computers for the North Sioux City Community Library, and to approve the transfer of \$3000 from the contingency fund. Unanimous. It was noted that an anonymous donor will in fact fund the purchase of the new computers.

Tony Carpenter from Calhoun Communications, Inc. provided the Council with information on municipal-owned wireless internet services.

Motion by Cropley, second by Headid to advertise for bids to restore the existing levee to the pre-flood condition. Unanimous.

Motion by Leitru, second by Christiansen to adopt the following “Whistleblower Policy” to be included in the City’s “Personnel Policy Manual.” Unanimous. It was noted that the adoption of the policy was recommended by the City’s auditing firm.

WHISTLEBLOWER POLICY

A whistleblower as defined by this policy is an employee of North Sioux City who reports an activity that he/she considers to be illegal to one or more of the parties specified in this policy. Once the activity has been reported, the whistleblower does not have the authority, or the responsibility, for further investigating any suspect activity or for determining fault or corrective measures; the Mayor and/or his/her designee is charged with these responsibilities.

Examples of illegal activities include but are not limited to violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal activities or fraudulent financial reporting, the employee is to contact his/her immediate supervisor and/or the Mayor or Human Resources Director. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections including confidentiality and protection against retaliation will be provided as allowed for in state and federal law/legislation. Any whistleblower who believes he/she is being retaliated should follow the Grievance Policy contained the City Personnel Policy Manual.

The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Employees with any questions regarding this policy should contact his/her immediate supervisor, the Mayor or the Human Resource Director.

Motion by Headid, second by Meyer to approve the first reading of an ordinance “to establish a records retention and destruction policy.” Unanimous. It was noted that the adoption of the policy was recommended by the City’s auditing firm.

Motion by Leitru, second by Cropley to approve the first reading of an ordinance “implementing a conflict of interest policy.” Unanimous. It was noted that the adoption of the policy was recommended by the City’s auditing firm.

In accordance with SDCL 9-22-21, Finance Officer Tonya Johnson presented the Mayor and Council with the 2011 Annual Financial Report. Motion by Cropley, second by Christiansen to accept the report as presented. Unanimous.

Motion by Cropley, second by Parks to convene a special meeting of the Council on Thursday, April 12, 2012, at 7:45 a.m., to canvas the April 10, 2012, City of North Sioux City municipal election results. Unanimous.

During community/council input: 1.) Cropley suggested, and the rest of the Council concurred, that the City draft a letter in support of Beef Products, Inc.; 2.) Headid noted that a benefit will be held on April 29 at the North Sioux City Community Center for Mike Cooper; 3.) Parks stressed the importance that City personnel follow the adopted confined spaces safety plan; and 4.) discussion was held amongst the Council on the ongoing difficulties the City is experiencing with pieces of cloth/rags that are being discharged into the sanitary sewer system near Lakeshore Drive.

Motion by Parks, second by Headid to enter Executive Session at 8:01 p.m. in accordance with SDCL 1-25-2 (section 4) to discuss contractual matters. Unanimous.

Regular session resumed at 8:17 p.m.

No fines to report.

Motion by Headid, second by Parks for the approval of bills. Unanimous.

AMERICAN LEGAL SERVICES	36.20	APR 2012 POLICE OFFICER LEGAL SVCS	
BARNES & NOBLE INC		841.16	MOVIES/BOOKS
COAST TO COAST SOLUTIONS		211.00	POLICE SHIELD BADGE STICKER
DEMCO, INC		119.17	LIBRARY CD RING BINDERS
ELECTION SYSTEMS & SOFTWARE		134.43	APR 2012 ELECTION BALLOTS
FEDEX		21.93	EXPRESS SVC
FOUR SEASONS NORTH		274.45	FITNESS CTR MEMBERSHIPS
GCR TIRE CENTERS		171.00	TRACTOR TIRE MAINTENANCE
GROVES REPAIR		150.00	REMOVE OLD & INSTALL NEW RADARS
JANITOR DEPOT, INC.		689.42	JANITORIAL SUPPLIES
JIM'S GLASS		1,990.00	REPLACE SHOP DOOR
KEVIN O'DELL ELECTRIC, INC.		698.34	REPAIR CENTENNIAL PARK LIGHT & REPAIR
KPTH TELEVISION		192.00	ADVERTISING
MATTHYS, DEB		118.47	REIMBURSEMENT-MTG EXPENSES
MCCOOK CEMETERY ASSN		3,456.00	DISTRIBUTE 2012 CEMETERY BUDGET
NATE'S FINE SHINE		1,015.00	MAR 2012 CLEANING
NOVELTY MACHINE & SUPPLY		48.70	DODGE 4JE D-FLEX CPL SLEEVE
IOWA OFFICE SUPPLY, INC		142.68	PRINTER DRUM
OFFICE SYSTEMS CO		432.31	COPIER RENTAL-POLICE
PITNEY BOWES GLOBAL		56.00	APR 2012 SCHEDULE 001-POSTAGE METER
SD DEPT OF REVENUE		176.00	02/21 - 03/13 BOD,SOLIDS,FECAL
SIOUX CITY FOUNDRY COMPANY		232.85	PARTS
SIOUX SALES CO.		112.00	LIGHT, RADIO MIC
THE BOULDER COMPANY		83.78	PARTS
TINT MASTERS		266.04	WINDOW TINTING (3 CARS)
TITAN MACHINERY		210.26	DAMPER
TRAUM SECURITY SYSTEMS		132.00	2QTR 2012 MONITORING
TRUGREEN CHEMLAWN		154.25	LAWN CARE

As required by SDCL 6-1-10, the following is a list of the March 2012 payroll by department:

Finance	12,041.92
Library	4,068.48
Parks	1,739.94
Police	26,298.41
Public Works	17,741.22

Adjournment was at 8:18 p.m., motion by Meyer and second by Cropley. Unanimous.

CITY OF NORTH SIOUX CITY

Don Fuxa, Mayor

ATTEST:

Tonya Johnson, Finance Officer

ATTEST:

Kory Menken, Human Resources Director